S.B. Civil Writ Petition No.4325/2001.

Date : 17.01.2005

Hon'ble Mr. Justice R.P.Vyas

Mr. R.K. Bhatia for petitioner.
Miss Kusum Rao for respondents.

The instant writ petition has been filed by the petitioner praying, inter alia, therein that by an appropriate order or direction the transfer order dated August 2, 2001 (Annexure-4) may be quashed.

After hearing learned counsel for the petitioner, stay order was granted on 02.11.2001, since then, the petitioner has been continuing on the same post without transferring in pursuance of the order dated August 2, 2001. Long time has been elapsed after passing of the stay order and now we are in the year 2005.

Learned counsel for the respondents submits in their reply that the transfer order dated August 2, 2001 passed by the respondents-Authority is just and proper in the eye of law, within the jurisdiction and without any ulterior motive and malafide.

I have heard learned counsel for the parties and perused the material available on the record.

Looking to the facts and circumstances of the case, in the interest of justice, I deem it just and proper to quash the transfer order dated August 2, 2001, passed by the respondents-Authority. However, the respondents-Authority is free to pass a fresh order, if any administrative exigency arises, strictly in accordance with the law.

With these observations and directions, the instant writ petition stands disposed of.

(R.P.Vyas), J.